

From: [Wilson, Eric](#)
To: [Region2_SFRecordCtr](#)
Subject: Pierson's Creek
Date: Monday, August 14, 2017 1:25:16 PM

For SEMS records management.

From: Benjamin E. Quayle [<mailto:bquayle@hhqventures.com>]
Sent: Wednesday, August 2, 2017 11:44 AM
To: Kelly, Albert <kelly.albert@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
Cc: Rashid G. Hallaway <rhallaway@hhqventures.com>; Dewey, Amy <Dewey.Amy@epa.gov>
Subject: Superfund Task Force Report--Troy Corp

Albert/Nick,

Congratulations on completing the Superfund Task Report. I am eager to see the report's recommendations implemented soon.

In that regard, we reviewed the Report and noticed that several recommendations in the Task Force Report support allowing Troy to proceed quickly to final remedy selection. Some of the recommendations and how it fits into Troy's plan are noted below.

- Recommendation 1: Establish metrics on all sites to track progress, including PRP lead, length of time to estimated partial or complete deletion, costs anticipated, etc.; Develop project timelines and exit strategies; and, track and report progress on achieving/meeting timelines.

- ***Troy has requested that Region 2 agree to an expedited schedule to achieve remedy selection and implementation.***

In the SOW which was sent to Troy this week, we shortened the timeframes for the deliverables based on the draft work schedule submitted by Troy to us back in June 2017.

- Recommendation 5: Clarify Priorities for RI/FS Resources.
 - ***Troy believes sufficient information exists to develop a complete RI/FS without significant additional work. Additional data requested by USEPA Region 2 is not likely to change the outcome.***

Sufficient information may exist to develop alternatives for the ditch/culvert, but not enough for the remainder of their site. Although we did ask for upgradient gw information to determine the impact of their preferred alternative to the neighboring properties. Their soil data is 16 years old; we asked for confirmatory sampling. They have performed limited indoor air sampling but no subslab sampling (which we have asked for given the shallow water table and their non-answer regarding preferential pathways beneath their foundations.)

- Recommendation 16: Develop a plan to provide financial incentives in the form of reduced oversight to PRPs who perform timely, quality work under an agreement by reducing the costs associated with EPA's oversight, including adjustments to indirect costs. Establish and promote strict adherence to project deadlines.

- ***Troy has proposed a schedule to Region 2 that includes deadlines applicable to all parties.***

I'm surprised they didn't request reduced oversight. Is that because their plan all along has been to work under an Order rather than an AOC?

- Recommendation 21: Facilitate site redevelopment during cleanup by encouraging PRPs to fully integrate and implement reuse opportunities into investigations and cleanups of NPL sites.

- ***Troy's approach to the investigation and remediation of its Newark site will allow for the continuation and expansion of chemical manufacturing operations. Other approaches, even if possible, would jeopardize these operations.***

Troy continues to insist that their proposed alternative of containment (placement of a sheetpile wall around their site, keyed into the meadow mat) is the only possible alternative (most recently in their 7/31/17 response to EPA's 2/17 comment letter on their Site Characterization Report). Troy hasn't submitted any other alternatives to EPA for evaluation so it may or may not be a true statement.

Future expansion of chemical manufacturing operations? Additional construction on their site prior to the gathering of EPA's requested sampling data will put construction workers at risk. A couple of years ago they demolished an on-site building and found a dry well plus high levels of lead-contaminated soils within the excavated area that they didn't expect. I can only assume that there are more surprises like this on the Troy property.

Troy is prepared to address contamination pursuant to the cost-effective approach contemplated by the Task Force Report. We appreciate your work on these matters and look forward to working with the EPA to remedy the issues at Troy's site. Please let me or Rashid know if you have any questions or comments.

Best,

Ben Quayle

Hon. Ben Quayle
Partner
HHQ Ventures, LLC
M: 602.531.2762